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State of Utah

DEPARTMENT OF NATURAL RESOURCES

Division of Oil, Gas & Mining

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Executive Director

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Division Director

Inspection Report

Minerals Regulatory Program

Report Date October 26, 2005

Supervisor 007

Mine Name: D-tract Asphalt Pit
Operator Name: Wembco

Permit number: S/047/068
Inspection Date: September 2, 2005
Time: 7:45-8:15 AM

Inspector(s): Paul Baker
Other Participants: Scott Allred
Mine Status: Active

Weather: Sunny, 60's

Elements of Inspection	Evaluated	Comment	Enforcement
1. Permits, Revisions, Transfer, Bonds	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Public Safety (shafts, adits, trash, signs, highwalls)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Protection of Drainages / Erosion Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Deleterious Material	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Roads (maintenance, surfacing, dust control, safety)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Concurrent Reclamation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Backfilling/Grading (trenches, pits, roads, highwalls, shafts, drill holes)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Water Impoundments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Soils	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Revegetation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Air Quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Other	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Purpose of Inspection:

The operator is required to reclaim a portion of the disturbed area, and I wanted to meet with him and discuss what needed to be done.

Inspection Summary:

6. Concurrent Reclamation

There is an area of 0.76 acres on the west side of the mine that needs to be reclaimed (Photos 2 and 3). The condition of this area has not changed since I last visited the site.

12. Other

Mr. Allred said the asphalt pit has not been mined this year, a statement verified by the amount of water in the pit. The processing area is being used to process recycled asphalt. Mr. Allred told me he is using some of the overburden from the mine to mix with the asphalt. There are also some other sand and gravel deposits adjacent to the mine the operator has been using (Photo 1).

Conclusions and Recommendations:

Previously, the operator was reluctant to reclaim the area west of the mine because it overlies some asphalt and because there was a prospective buyer for the property that might want to mine this area. There have also been some delays due to weather. Whether or not there is a potential for mining this area, this site is permitted as a small mine, and the disturbed area needs to be five acres or less. This

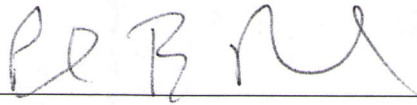
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reclamation must be done this fall or further enforcement action will be taken. (This area was the subject of a Division Directive before the Division's current enforcement rules went into effect.)

It is difficult to define at this site what constitutes primary processing and what is secondary processing. The Division previously made a determination that when asphalt is taken from the mine, crushed, and mixed with gravel, this is primary processing that falls under the Mined Land Reclamation Act. Secondary processing is when this material is heated in a batch plant and possibly mixed with recycled asphalt. Processing recycled asphalt is not regulated.

Based on this determination, the site was previously mapped with a line delineating where primary and secondary processing were occurring. This line has now been obscured because the operator is doing secondary processing within the primary processing area and because he is not doing any primary processing at this time.

Inspector's Signature

A handwritten signature in dark ink, appearing to read 'PBB' followed by a stylized flourish.

Date: October 26, 2005

PBB:jb

cc: Jim Barnes, Wembco
Attachment: Photos

**ATTACHMENT
Photographs**

S/047/068, D-Tract Asphalt Mine, Wembco

Inspection Dated: September 2, 2005; Report Dated: October 26, 2005



Photo 1. It appears the operator has been taking some sand and gravel from a deposit adjacent to the mine.



Photo 3.



Photo 2. This and Photo 3 are views of the area that needs to be reclaimed.